

REMARKS

Claims 1-25 were pending. No claims have been amended/added/canceled. Therefore claims 1-25 remain pending.

35 U.S.C. § 103 Rejections

In the present Office Action, claims 1-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over newly cited U.S. Patent Number 6,038,319 (hereinafter “Chari”) in view of U.S. Patent Number 6,337,951 (hereinafter “Campbell”). However, Applicant submits each of the pending claims recite features that are neither disclosed nor suggested in the combination of cited references. Accordingly, Applicant traverses the above rejections and requests reconsideration.

Claim 1 recites a method for managing data in a distributed computing system, which includes

“receiving additional data corresponding to said application, wherein said additional data identifies fewer than all of said plurality of modules and identifies an update to be made to one or more of said first module and said plurality of modules”.

Both in the previous and in the present Office Action, it is suggested that Campbell discloses these features of claim 1 in the following:

“In response to the user identification and user module data, the host processor sends, over the communications channel, a host origin date for a host module corresponding to the user module. Responsive to receiving the host origin date for the host module, the user processor compares the host origin date for the host module to the user origin date for the corresponding user module. In response to determining that the host origin date is more recent than the user origin date, the user processor identifies those host module blocks of information, within the host module, having origin dates more recent than corresponding user module blocks of information, within the user module, as updated blocks. The riser processor then downloads to the user memory the updated blocks. Alternatively, in a secondary embodiment, the network may be configured

such that, in response to determining that the host origin date is more recent than the user origin date, the user processor downloads the host module and replaces the user module with the downloaded host module.” (Campbell, col. 6, lines 46-64, emphasis added).

In Campbell, the user processor receives a host origin date. However, the host origin date is simply a date and is not an identification of “fewer than all of said plurality of modules”. The host origin date is data within a host module and it is compared to data in the user module, such as the user origin date. In Campbell, in the user terminal, which receives the host origin date, the user module is identified by the user identification data and not by the host origin date. The host origin date may not have the same value as the user origin date of any user module, much less of the user module identified by the user identification data. Therefore, the host origin date does not identify a user module. For at least these reasons, claim 1 is patently distinct from the cited art.

Furthermore, even if the host origin date were equivalent to “additional data that identifies fewer than all of said plurality of modules”, the host origin date does not identify “an update to be made to one or more of said first module and said plurality of modules”. In Campbell, in order to identify “an update to be made,” the user processor must compare the host origin date for the host module to the user origin date for the corresponding user module. The host origin date does not identify “an update to be made.” Rather, the host origin date simply serves as data input to a process that may or may not result in an identification of an update to be made. For at least these additional reasons, claim 1 is patently distinct from the cited art.

Also, claim 1 recites “...additional data identifies... an update to be made to one or more of said first module and said plurality of modules”. Campbell does not disclose an update of said first module “which identifies a plurality of modules.” In Campbell, the user identification data identifies a user module. However, the user identification data is not updated by the host origin date or by the host module. Additionally, in Campbell, the host module may be used to update a single user module, but the host module is not used

to update a plurality of user modules as shown in the above disclosures. For at least these reasons, claim 1 is believed patentably distinguishable from the cited reference.

As each of the independent claims 9, 17 and 21 include features similar to claim 1, claims 9, 17 and 21 are patentably distinguished from the cited references alone or in combination for similar reasons. As each of the dependent claims includes the features of the independent claims on which it depends, each of the dependent claims is patentably distinct for at least the above reasons.

In addition to the above, the dependent claims recite features not disclosed or suggested by the cited art. For example, the cited art does not disclose the features of claim 2, which recites:

“wherein said first module comprises a main directory module which is pushed, and wherein said additional data comprises a delta directory module which corresponds to said main directory module.” (emphasis added).

In the present Office Action, it is suggested that Campbell discloses the recited delta directory module in the following:

“After the user terminal has received user identification data and has located a user module in the modules folder, the user processor scans for a user modem. In response to finding a user modem with appropriate settings, the user processor accesses the communications channel to connect with the remotely-located host terminal. The remotely-located host terminal accepts the dialed connection through the host modem. The user module update procedure then continues in a manner equivalent to the user module update procedure followed with the local host.” (Campbell, col. 7, lines 1-9).

As discussed above, Campbell merely discloses a host origin date that is data within a host module. However, neither the host origin date nor the host module is a delta directory that corresponds to the main directory. In fact, neither one is even a directory. As discussed in Applicant’s previous Response to Office Action, Applicant

has reviewed the above portion and the remainder of Campbell and finds no teaching or suggestion of a “delta directory module which corresponds to said main directory module.” Neither does Chari disclose all the features of claim 2. Accordingly, claim 2 is patentably distinct from the cited references alone or in combination for these additional reasons as well.

As the recited update to be made is not disclosed in the cited art, the features of claims 3 and 5 that relate to said update are not disclosed by the combination of cited art. Also, as the recited delta directory module is not disclosed in the cited art, the features of claim 4 that relate to the delta directory module are not disclosed by the combination of cited art.

In view of the above, Applicant submits the claims are in condition for allowance.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above referenced application from becoming abandoned, Applicant hereby petitions for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 501505/5266-10500/RDR.

Respectfully submitted,

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